



PUBLIC SPEAKING INSTRUCTIONS

WRITTEN COMMENTS: You can send comments to the Town Board on any matter, either on or not on the agenda, by emailing mgeller@town.verona.wi.us or twithee@town.verona.wi.us or in writing to Town Board Chair, 7669 County Highway PD, Verona, WI, 53593.

- 1) Call to Order/Approval of the Agenda
- 2) Pledge of Allegiance
- 3) Public Comment – Comments on matters not listed on this agenda could be placed on a future meeting agenda. If the Chair or staff has received written comments for items not on the agenda, these may be read.
- 4) Approval of minutes from January 1, 2024
- 5) Public Hearing: Discontinuance of a Portion of Hidden River Road
- 6) Committee Reports
 - A. Plan Commission
 1. Discussion and Possible Action: 2023-OA-068 Amending Chapter 10 of the Dane County Code of Ordinances Regarding the Review Process for Conditional Use Permits
 2. Discussion and Possible Action: Land Use Application 2024-01 Rezone of 2744 Cross Country Circle submitted by the Town of Verona to correct a zoning clerical error
 - B. Public Works
 1. Discussion and Possible Action: Inter-Governmental Agreement with the City of Fitchburg for Design Engineering Cost Sharing re the Fitchrona Road Reconstruction Project
 2. Discussion and Possible Action: Resolution 2024-1 Discontinuance of a Portion of Hidden River Road
 3. Discussion and Possible Action: Motion by Public Works to recommend to the board that the town purchase a tractor boom mower combination unit (used tractor) not to exceed \$160,000 based on the best value of combination of available equipment.
 4. Discussion and Possible Action: Motion by Public Works to recommend to the board to add Flint Lane to the 2024 road projects for bidding since the estimated costs are under the adopted budget.
 - C. Finance Committee
 - D. Natural and Recreational Areas Committee
 - E. EMS Commission
 - F. Senior Services Committee
- 7) Town Chair's Business
- 8) Supervisor Announcements

9) Staff Reports

- A. Administrator/Planner Report
- B. Public Works Director Report
- C. Clerk/Treasurer Report

10) Unfinished Business

11) New Business

- A. Discussion and Possible Action: Amendment to the Town of Verona Employee Manual to Address Sick Time Accrual
- B. Discussion and Possible Action: Resolution 2023-02 - Amendment to Chapter 1 of the Town of Verona Code of Ordinances
- C. Discussion and Possible Action: Letter from Allen D. Reuter regarding the Intergovernmental Road Maintenance Agreement between the Towns of Verona and Middleton

12) Check Register Review

13) Other

14) Adjournment

Regular board agendas are published in the Town's official newspaper, The Verona Press. Per Resolution 2016-2 agendas are posted at the Town Hall and online at www.town.verona.wi.us. Use the 'subscribe' feature on the Town's website to receive agendas and other announcements via email. Notice is also given that a possible quorum of the Plan Commission and/or Public Works, Ordinance, Natural and Recreational Areas, and Finance Committees could occur at this meeting for the purposes of information gathering only.

If anyone having a qualifying disability as defined by the American with Disabilities Act needs an interpreter, materials in alternate formats, or other accommodations to access these meetings, please contact the Town of Verona @ 608-845-7187 or twithee@town.verona.wi.us. Please do so at least 48 hours prior to the meeting so that proper arrangements can be made.

Mark Geller, Town Chair, Town of Verona
Sent to VP: 01/25/2024



Town of Verona Strategic Planning Summary

Two strategic planning sessions held by the Town Board, committees, and commissions on November 11, 2017 and February 17th, 2018. The purpose of these sessions was to develop an updated vision statement and outline guiding principles for work going forward.

Town of Verona Vision Statement

To maintain the Town as an independent, financially sustainable, safe,
and healthy rural community

Guiding principles

- Create a welcoming and inclusive community
- Provide efficient services
- Be fiscally responsible
- Anticipate and plan for growth
- Protect and enhance cultural and natural resources
- Maintain open and transparent government
- Coordinate and collaborate with neighboring jurisdictions/key partners

Town of Verona
Town Board Meeting Minutes
Tuesday, January 2, 2024 – 6:30 pm

Town Board Members Present: Chair Mark Geller, Tom Mathies, Dave Lonsdorf, Deb Paul and Mike Duerst

Staff Present: Administrator/Planner Sarah Gaskell, Clerk/Treasurer Teresa Withee, Public Works Director Chris Barnes and Road Patrolman, Mark Judd

Others:

1. Call to Order/Approval of the Agenda – Chair Geller called the meeting to order at 6:30 pm. Motion by Duerst to approve the agenda, second by Lonsdorf. Motion carried by voice vote.
2. Pledge of Allegiance
3. Public Comment – no comment
4. Approval of minutes from December 5, 2023. Motion by Duerst to approve the minutes from December 5, 2023, second by Lonsdorf. Motion carried by voice vote.
5. Committee Reports
 - A. Plan Commission – no meeting
 - B. Public Works – Duerst stated they discussed the purchase of a boom mower. The Public Works Committee will continue to work on the topic and bring it back to the board in February.
 - C. Finance Committee
 1. Discussion and Possible Action: 2024 Town of Verona Fee Schedule. Mathies introduced the recommended fee increases from the finance committee. Development escrow was discussed, there will need to be more research to determine fees, this will be brought back to the board at a later date. Motion by Mathies to approve the 2024 Town of Verona Fee changes as discussed, second by Duerst. Motion carried by voice vote.
 - D. Natural and Recreational Areas – Lonsdorf stated they finished the Draft Natural and Recreational Areas Plan for review.
 - E. EMS Commission – No Meeting
 - F. Senior Services Committee – Paul stated they were 35 applicants for the Case Manager position. They are short staffed, and they need a Lead Case Manager and Assistant Director. The Center has purchased a transportation van.

- G. Town Chair's Business – Geller stated he attended Country View neighborhood meeting; Joint City, Town and EPIC meeting regarding roads and the Fire District Annual Meeting. On December 18th he attended the sentencing hearing for the former Bellville Senior Center Director. She received 4 months and must pay restitution. She will also face tax evasion charges. There are no contested races for town board.
- H. Supervisor Announcements – Duerst gave an update on the Herfel property. Mathies stated the Dane County Towns Association meeting this month will be via zoom. Paul asked about the information that was sent out from WTA changing speed limits on town roads. Mathies stated that there is a bill being reviewed to allow towns more control over speed limits.

6. Staff Reports

- A. Administrator/Planner Report was included in the packet. Mathies asked if she has heard back from residents regarding comp plan, she has heard back from four and some residents have declined.
- B. Public Works Director Report was included in the packet. Paul asked when the Fitchrona road is scheduled, Barnes stated 2025.
- C. Clerk/Treasurer Report was included in the packet. Withee stated that December tax collections were \$3,365,590 and today \$522,072 was collected. 68 dog licenses have been issued to date. Mathies asked if anyone has paid taxes online, Withee stated there has been one person so far.

7. Old Business

8. New Business

- A. Discussion: 2023 Budget to Actual Review. Gaskell presented an overview reviewed. Mathies would like the auditors to determine the Whalen Road payment from MG&E if this is considered a 2023 or 2024 expense. Paul asked if we can use the 2023 budget to increase other categories, Gaskell stated the 2023 budget was used as the basis for the 2024 budget.
- B. Motion by Geller to go into Closed Session per Wis. Stats. §19.85 (1) (c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: discuss staff performance evaluations and compensation, second by Duerst. Roll call vote – Mathies; aye, Lonsdorf; aye, Paul; aye, Duerst; aye, Geller; aye. Motion carried.
- C. Motion by Duerst to return to open session, second by Mathies. Motion carried by voice vote. 8:58
- D. Discussion and Possible Action: Issues discussed in closed session. Motion by Mathies, second by Lonsdorf to approve staff bonuses as discussed in closed session . Motion carried by voice vote.

9. Motion by Mathies to adjourn, second by Lonsdorf, meeting adjourned without objection at 8:59 pm.

Prepared by Teresa Withee, Town Clerk

Approved:

DRAFT

TOWN OF VERONA

TO: Plan Commission

FROM: Sarah Gaskell, Planner/Administrator

DATE: February 6th, 2024

RE: Administrator's Memo – January Town Board Meeting

Agenda items

1. Plan Commission

- a. Discussion and Possible Action: 2023 OA-068 Amending Chapter 10 of the Dane County Code of Ordinances, Regarding the Review Process for Conditional Use Permits and Rezones

The County is seeking Town input on the proposed amendment changes to Ch 10 regarding Condition Use Permits. The amendment seeks to address the omission of language requiring a one-year timeframe for resubmittal of a CUP previously denied when the zoning code was updated. Additionally, it would add language regarding 1-year resubmittal of zoning proposals. The proposed amendment was prompted by recent experiences regarding previously denied CUPs and rezones, and a direct request from the Dane County Towns Association to address the oversight. The Plan Commission voted to recommend approval of 2023 OA-068 at their January meeting.

- b. Discussion and Possible Action: Land Use Application 2024-01 Rezone of 2744 Cross Country Circle submitted by Town of Verona to correct a zoning oversight

The Town via petition is seeking to correct a zoning oversight that occurred under a Town blanket rezone, Petition 11772, for the properties around Cross Country Circle. The property located at 2744 Cross Country Circle had an LC zoning that was to be retained. During rezoning petition 11772, the entire property was rezoned to SFR-2.

NOTE: The previous LC zoning district area was deed restricted to the inside storage of two snowplow trucks and one bobcat.

The Plan Commission voted to recommend approval of the rezone at their January meeting.

2. Public Works

- a. Discussion and Possible Action: Inter-Governmental Agreement with the City of Fitchburg for Design Engineering Cost Sharing re the Fitchrona Road Reconstruction Project

The Town of Verona and the City of Fitchburg are working jointly to reconstruct the portion of Fitchrona Road between Nesbitt Road and Tonto Trail. The project received state funding of \$2,866,086. The intergovernmental agreement defines the responsibilities of both entities and their associated costs. The agreement has been reviewed by the Town Attorney and is submitted for board approval.

b. Discussion and Possible Action: Resolution 2024-1 Discontinuance of a Portion of Hidden River Road

The Town is seeking to vacate a portion of Hidden River Road. After the public hearing, the board may choose to take action with conditions or wait for review by the Plan Commission, a required statutory step. Additional information is provided in the packet.

c. Discussion and Possible Action: Motion by Public Works to recommend to the board that the town purchase a tractor boom mower combination unit (used tractor) not to exceed \$160,000 based on the best value of combination of available equipment

Additional information is provided in the packet. The Public Works Committee voted to recommend the purchase of tractor boom mower combination unit not to exceed \$160,000 at their January meeting.

d. Discussion and Possible Action: Motion by Public Works to recommend to the board to add Flint Lane to the 2024 road projects for bidding since the estimated costs are under the adopted budget

Additional information is provided in the packet.

3. New Business

a. Discussion and Possible Action: Amendment to the Tonw of Verona Employee Manual to Address Sick Time Accrual

Employees currently earn 6 or 3 hours a month of sick time depending on their employment status. Typically, sick time leave is usually taken in 4- or 8-hour allotments. It is suggested that a monthly accrual of 8 or 4 hours would be in better alignment with how sick time is used as well as with the accrual benefits of neighboring municipalities.

City of Verona – 8 hours/month

Town of Middleton – 12 days/year

City of Fitchburg – 4 hours each biweekly pay period

Dane County - 4 hours each biweekly pay period

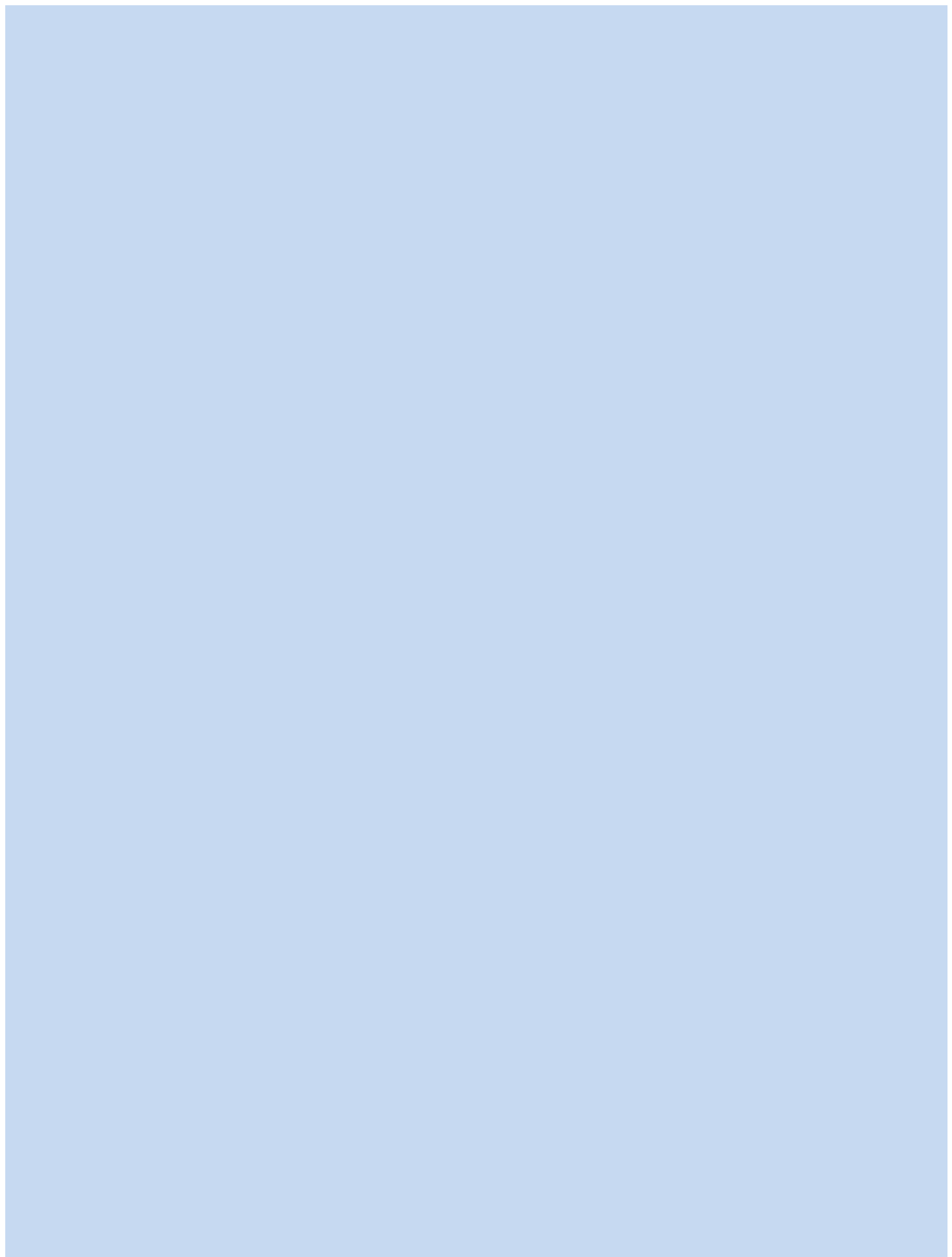
City of Madison – one half day each biweekly pay period

b. Discussion and Possible Action: Amendment to Chapter 1 of the Tonw of Verona Code of Ordinances

The suggested changes to the Order of Business for Town Board meetings more accurately reflect the current order of business. The Town Attorney has reviewed and approved the draft changes.

- c. Discussion and Possible Action: Letter from Allen T. Reuter regarding the Intergovernmental Road Maintenance Agreement between the Towns of Verona and Middleton

This letter of explanation is required by the Rules of Professional Conduct for Attorney in Wisconsin when any potential conflict of interest might be present. Please see the letter in the packet for further information.





Dane County Planning & Development Zoning Division

TO: Town Clerks, Supervisors, and Planning Commissioners

FROM: Rachel Holloway, Assistant Zoning Administrator

DATE: December 7, 2023

RE: Ordinance Amendment 2023 OA-068 regarding conditional use permit and rezoning processes

CC: Todd Violante, Planning & Development Director
Roger Lane, Zoning Administrator
Majid Allan, Senior Planner
Renee Lauber, Executive Director, Dane County Towns Association

Ordinance Amendment 2023 OA-068, regarding conditional use permit and rezone processes will be introduced to the County Board this month. The Zoning and Land Regulation (ZLR) Committee will hold a public hearing on the proposed amendments on January 23, 2024 at 6:30pm. Information about accessing this meeting is included at the end of this memo. Please direct any questions to Rachel Holloway at 608-266-9084 or holloway.rachel@countyofdane.com.

I. Summary

The proposed amendment was prompted by recent experiences with conditional use permits and a request from the Dane County Towns Association. Primarily, the amendment would result in the following changes:

- Add language regarding 1-year resubmittal of conditional use permit (CUP) proposals
- Add language regarding 1-year resubmittal of rezone proposals

In addition, the following changes are requested:

- Change wording of “approval” process to “review” process
- Move the CUP town process language before the ZLR process to reflect actual process
- Renumber the appeal language section to fall in line with the layout of the section
- Add language regarding the revocation process of a CUP
- Remove the standard condition of posting a CUP placard on site
- Remove the standard condition requiring having a copy of the CUP available for inspection by the public
- Correct a typographical error in the zoning districts listed under rezone petition requirements

II. Background and Description

When comprehensive updates were made to the Chapter 10 Zoning Ordinance in 2019, the one-year timeframe for resubmittals of denied CUPs was inadvertently left out. Since then, a handful of CUP proposals have been denied by towns for various reasons. In one case, the applicants submitted multiple new petitions in an attempt to get approval with very minimal changes to the original proposal, and without addressing the concerns that led to the prior petition being denied.

In fall of 2023, the DCTA indicated that they would like to reinstitute the provisions from the old code that address “effect of denial” (reapplication) for both CUP and rezones, and the revocation provision for CUPs. Staff coordinated with DCTA to draft ordinance changes, which were recommended by the DCTA at their October 25, 2023 meeting and which are reflected in the proposed OA.

If approved, this amendment would:

- Establish clearer limits for resubmittals when a petition is denied or withdrawn
- Establish a clear process for revoking a CUP if necessary
- Make the ordinance language more user-friendly

III. Timeline for Town Action

If the town would like to provide comments or take action on the proposed text amendment, it can be done in two ways: 1) provide comments at the January 23rd ZLR Committee public hearing, or 2) review the amendment at a Town Board meeting and send in a Town Action Report (attached) by FEBRUARY 22, 2024.

You may complete the enclosed form and submit it by mail or fax, or use the online reporting tool available on our website at danecountyplanning.com/town-information-page.

If you would like County Staff to attend a town meeting to explain the changes, please contact us to arrange a time.

Enclosures:

2023 OA-068 Public Notice
2023 OA-068 Ordinance Text
Town Board Action Form

1
2
3 **2023 OA-068**

4 **AMENDING CHAPTER 10 OF THE DANE COUNTY CODE OF ORDINANCES,**
5 **REGARDING THE REVIEW PROCESS FOR CONDITIONAL USE PERMITS**
6 **AND REZONES**

7 The County Board of Supervisors of the County of Dane does ordain as follows:
8

9 **ARTICLE 1.** Unless otherwise expressly stated herein, all references to section
10 and chapter numbers are to those of the Dane County Code of Ordinances.
11

12 **ARTICLE 2.** Sections 10.101(7) is amended to read as follows:

13 **(7) Conditional Use Permits.**

14 **(a) Purpose.** The development and execution of this ordinance is based upon the division of
15 the county into districts, within which districts the use of land and buildings, and bulk and location
16 of buildings and structures in relation to the land are mutually compatible and substantially
17 uniform. Certain uses, because of their unusual nature and potential for impacts on neighboring
18 lands, public facilities, the environment or general welfare, warrant special consideration and
19 review. With appropriate limitations on siting, development and operation, such uses may be
20 compatible with other uses in a particular zoning district. Such uses are classified as conditional
21 uses and are subject to the following provisions.

22 **(b) Application Requirements.** An application for a conditional use shall be filed with the
23 zoning administrator on a form prescribed by the zoning administrator. Only complete
24 applications will be accepted. The application shall be accompanied by such plans and other
25 information as required by this section, by requirements for particular uses or as prescribed by
26 the zoning administrator, and shall include, at a minimum, the following:

27 **1. Statement.** The applicant shall provide a written statement and adequate evidence
28 demonstrating that the proposed conditional use conforms to:

- 29 **a.** the standards for approval described in s. 10.101(7)(~~dh~~),
30 **b.** any standards applicable to the particular use under s. 10.103, and
31 **c.** any additional standards required in the applicable zoning district.

32 **2. Legal description.** The applicant shall provide a written legal description accurately
33 describing the specific area on the property where the conditional use will operate and the
34 conditional use permit will be effective. Conditional use permit areas should be the minimum size
35 necessary to accommodate the proposed use, and need not conform to lot, zoning lot or tax
36 parcel boundaries.

37 **3. Site plan.** All applications for a conditional use permit must be accompanied by a site plan,
38 meeting all the standards described in s. 10.101(6).

39 **4. Operational plan.** All applications for a conditional use permit must be accompanied by an
40 operational plan that describes, at a detail acceptable to the zoning administrator, the following
41 characteristics of the operation, as applicable:

- 42 **a.** Hours of operation.
43 **b.** Number of employees, including both full-time equivalents and maximum number of
44 personnel to be on the premises at any time.
45 **c.** Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate
46 impacts to neighboring properties.
47 **d.** Descriptions of any materials stored outside and any activities, processing or other
48 operations taking place outside an enclosed building.
49 **e.** Compliance with county stormwater and erosion control standards under Chapter 11 or
50 Chapter 14, Dane County Code.
51 **f.** Sanitary facilities, including adequate private onsite wastewater treatment systems and
52 any manure storage or management plans approved by the Madison & Dane County Public
53 Health Agency and/or the Dane County Land and Water Resources Department.

- 54 g. Facilities for managing and removal of trash, solid waste and recyclable materials.
- 55 h. Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or
- 56 road improvements or other measures proposed to accommodate increased traffic.
- 57 i. A listing of hazardous, toxic or explosive materials stored on site, and any spill
- 58 containment, safety or pollution prevention measures taken.
- 59 j. Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring
- 60 properties.
- 61 k. Signage, consistent with ss. 10.800.
- 62 5. Third Party Consultation. If necessary expertise is not available from county staff, public
- 63 academic institutions or from appropriate regional, state or federal agencies, the committee may
- 64 consult with a third party to effectively evaluate a conditional use permit application. The zoning
- 65 administrator, or his or her designee, will select the consultant. The applicant for the conditional
- 66 use permit shall bear all reasonable costs and expenses associated with such consultation.
- 67 Applicants retain the right to withdraw a pending conditional use permit application if they choose
- 68 not to pay consultant fees.
- 69 6. Property Owner Consent. If the applicant for any conditional use permit is not the owner of
- 70 the property, the applicant must provide a signature(s) of the property owner(s) on the application
- 71 form or a written statement from the property owner(s) granting authorization to proceed with the
- 72 conditional use permit application.
- 73 (c) Approval/Review process.
- 74 1. Hearing on application.
- 75 a. Upon receipt of a complete and acceptable application, statement, site plan and
- 76 operational plan, the zoning committee shall hold a public hearing on each application for
- 77 conditional use. The zoning committee shall establish, by rule, a regular schedule and location for
- 78 public hearings. The zoning committee may prescribe or amend rules for the conduct of the
- 79 hearing and preserving a publicly-accessible recording of the proceedings.
- 80 b. The Department of Planning Development will publish a Class 2 notice of each public
- 81 hearing, as provided in Chapter 985 of the Wisconsin Statutes. The Department will also provide
- 82 direct notice to the Town Clerk of any towns affected by the proposed conditional use. The zoning
- 83 committee shall establish policies governing notice to other parties of interest.
- 84 ~~2. Zoning Committee Action.~~
- 85 ~~a. — The zoning committee is authorized by s. 59.69(2)(bm), Wis. Stats. to grant conditional use~~
- 86 ~~permits.~~
- 87 ~~b. — The zoning committee, after a public hearing, shall, within a reasonable time, grant, grant~~
- 88 ~~with conditions or deny any application for conditional use.~~
- 89 ~~c. — The zoning committee shall not take action on the application for conditional use until it~~
- 90 ~~receives action from the town board or the time period for action by the town board described in~~
- 91 ~~s. 10.101(7)(c)3. has expired.~~
- 92 ~~i. — If the town board denies the conditional use permit within the timeframes described in s.~~
- 93 ~~10.101(7)(c)3, the zoning committee need take no further action.~~
- 94 ~~ii. — The zoning committee may approve or deny a conditional use permit without town action if~~
- 95 ~~the town board fails to act within the time period set forth in s. 10.101(7)(c)3 below.~~
- 96 ~~d. — The zoning committee may postpone action on any conditional use permit until any~~
- 97 ~~unresolved violations of this Chapter or Chapters 11, 12, 13, 14, 17, 74, 75 or 78 are corrected~~
- 98 ~~and the property brought into full compliance with applicable standards.~~
- 99 ~~e. — Prior to granting or denying a conditional use, the zoning committee shall make written~~
- 100 ~~findings of fact based on evidence presented and issue a determination whether the proposed~~
- 101 ~~conditional use, with any recommended conditions, meets all of the following standards:~~
- 102 ~~i. — General standards for approval of a conditional use under s. 10.101(7)(d);~~
- 103 ~~ii. — Any prescribed standards specific to the applicable zoning district.~~
- 104 ~~iii. — Any prescribed standards specific to the particular use under s. 10.103.~~
- 105 ~~f. — The zoning committee must deny a conditional use permit if it finds that the standards for~~
- 106 ~~approval are not met.~~
- 107 ~~g. — The zoning committee must approve a conditional use permit if it finds that the standards~~
- 108 ~~for approval are met.~~
- 109 ~~32. Town Board Action.~~

- 110 a. The Department of Planning and Development shall provide direct notice to the town clerk
 111 of the town where a conditional use is proposed.
- 112 b. The town board may, at a properly noticed public meeting, grant, grant with conditions or
 113 deny any application for conditional use.
- 114 i. The town board shall communicate its position in writing on the conditional use application
 115 within sixty (60) days of the date of the county zoning committee public hearing.
- 116 ii. The town board may request an extension of the review period of up to forty (40) days by
 117 submitting a written request to the zoning committee.
- 118 c. Prior to granting or denying a conditional use, the town board shall make written findings of
 119 fact based on evidence presented and issue a determination whether the proposed conditional
 120 use, with any recommended conditions, meets all of the following standards:
- 121 i. General standards for approval of a conditional use under s. 10.101(7)(~~dh~~);
- 122 ii. Any prescribed standards specific to the applicable zoning district.
- 123 iii. Any prescribed standards specific to the particular use under s. 10.103.
- 124 d. The town board must deny a conditional use permit if it finds that the standards for
 125 approval are not met.
- 126 e. The town board must approve a conditional use permit if it finds that the standards for
 127 approval are met.
- 128 **3. Zoning Committee Action.**
- 129 **a. The zoning committee, after a public hearing, shall, within a reasonable time, grant, grant**
 130 **with conditions or deny any application for conditional use.**
- 131 **b. The zoning committee shall not take action on the application for conditional use until it**
 132 **receives action from the town board or the time period for action by the town board described in**
 133 **s. 10.101(7)(c)2. has expired.**
- 134 **i. If the town board denies the conditional use permit within the timeframes described in s.**
 135 **10.101(7)(c)2., the zoning committee need take no further action.**
- 136 **ii. The zoning committee may approve or deny a conditional use permit without town action if**
 137 **the town board fails to act within the time period set forth in s. 10.101(7)(c)2.**
- 138 **c. The zoning committee may postpone action on any conditional use permit until any**
 139 **unresolved violations of this Chapter or Chapters 11, 12, 13, 14, 17, 74, 75 or 78 are corrected**
 140 **and the property brought into full compliance with applicable standards.**
- 141 **d. Prior to granting or denying a conditional use, the zoning committee shall make written**
 142 **findings of fact based on evidence presented and issue a determination whether the proposed**
 143 **conditional use, with any recommended conditions, meets all of the following standards:**
- 144 **i. General standards for approval of a conditional use under s. 10.101(7)(h);**
- 145 **ii. Any prescribed standards specific to the applicable zoning district.**
- 146 **iii. Any prescribed standards specific to the particular use under s. 10.103.**
- 147 **e. The zoning committee must deny a conditional use permit if it finds that the standards for**
 148 **approval are not met.**
- 149 **f. The zoning committee must approve a conditional use permit if it finds that the standards**
 150 **for approval are met.**
- 151 **4(d). Appeals to Circuit Court of Conditional Use Permit Decisions.**
- 152 **a. Any person aggrieved by the grant or denial of a conditional use permit may appeal the**
 153 **decision to the circuit court as authorized by Wis. Stat. s. 59.69(5e)(e) using the procedures**
 154 **contained in Wis. Stat. s. 59.694(10).**
- 155 **(e) Resubmittal of a Conditional Use Permit Application.**
- 156 **No application that is the same as, or similar to, an application that has been denied under this**
 157 **section, and affecting the same property or portion thereof, may be submitted for a period of one**
 158 **(1) year from the date of said denial, or if appealed, the court decision, unless the applicant**
 159 **provides substantial new evidence or proof of a change of conditions that would support approval**
 160 **or conditional approval of the application found valid by the county zoning committee. This**
 161 **prohibition also applies to an application that is withdrawn not less than 30 days prior to a public**
 162 **hearing.**
- 163 **(f) Failure to Commence or Abandonment of A Conditional Use.**

164 If any use allowed by an approved conditional use permit is not commenced within one year of
165 issuance of the permit or is abandoned for one year or more, the associated conditional use
166 permit shall be terminated by the zoning administrator. Future re-establishment of an abandoned
167 conditional use shall require approval of a new conditional use permit.

168 (g) Revocation of Conditional Use Permit.

169 1. Application for a conditional use permit constitutes consent to inspection of the permitted
170 premises by the zoning administrator or designee to assure permit compliance.

171 2. If a landowner or holder of the conditional use permit is found to be in violation of the permit
172 conditions, the landowner or holder of the permit shall be notified in writing of the said violation(s)
173 and given 10 days to correct the violation.

174 3. If the violation is not corrected within the assigned correction period, a report shall be filed with
175 the zoning committee documenting the violation.

176 4. If the zoning committee finds that the conditions stipulated in the conditional use permit are not
177 being complied with, the zoning committee, after a public hearing, may revoke the conditional use
178 permit. Appeals from the action of the zoning committee may be as provided in s. 10.101(7)(d).

179 **(dh)** Requirements and standards for conditional use permits.

180 **1.** Standards for approval. Before approving any conditional use permit, the town board and
181 zoning committee must find that all of the following conditions are met:

182 **a.** That the establishment, maintenance or operation of the conditional use will not be
183 detrimental to or endanger the public health, safety, comfort or general welfare;

184 **b.** That the uses, values and enjoyment of other property in the neighborhood for purposes
185 already permitted shall be in no foreseeable manner substantially impaired or diminished by
186 establishment, maintenance or operation of the conditional use;

187 **c.** That the establishment of the conditional use will not impede the normal and orderly
188 development and improvement of the surrounding property for uses permitted in the district;

189 **d.** That adequate utilities, access roads, drainage and other necessary site improvements
190 have been or are being made;

191 **e.** That adequate measures have been or will be taken to provide ingress and egress so
192 designed as to minimize traffic congestion in the public streets; and

193 **f.** That the conditional use shall conform to all applicable regulations of the district in which it
194 is located.

195 **g.** That the conditional use is consistent with the adopted town and county comprehensive
196 plans.

197 **h.** If the conditional use is located in a Farmland Preservation Zoning district, the town board
198 and zoning committee must also make the findings described in s. 10.220(1).

199 **2.** Conditions.

200 **a.** Standard conditions. The town board and zoning committee shall impose, at a minimum,
201 the following conditions on any approved conditional use permit:

202 **i.** Any conditions required for specific uses listed under s. 10.103.

203 **ii.** The physical development and operation of the conditional use must conform, in all
204 respects, to the approved site plan, operational plan and phasing plan.

205 **iii.** New and existing buildings proposed to house a conditional use must be constructed and
206 maintained to meet the current requirements of the applicable sections of the Wisconsin
207 Commercial Building Code or Uniform Dwelling Code.

208 **iv.** The applicant shall apply for, receive and maintain all other legally required and applicable
209 local, county, state and federal permits. Copies of approved permits or other evidence of
210 compliance will be provided to the zoning administrator upon request.

211 **v.** Any ongoing business operation must obtain and continue to meet all legally required and
212 applicable local, county, state and federal licensing requirements. Copies of approved licenses or
213 other evidence of compliance will be provided to the zoning administrator upon request.

214 **vi.** Existing onsite wastewater sewage disposal systems, if any, serving the conditional use
215 must be inspected by a licensed plumber to determine its suitability for the proposed or expanded
216 use. Deficient systems must be brought, at the owner's expense, into full compliance with the
217 current requirements for new development of the state plumbing code and Chapter 46, Dane
218 County Code.

- 219 **vii.** All vehicles and equipment must access the site only at approved locations identified in the
220 site plan and operations plan.
- 221 **viii.** Off-street parking must be provided, consistent with s. 10.102(8).
- 222 **ix.** If the Dane County Highway, Transportation and Public Works Department or the town
223 engineer determine that road intersection improvements are necessary to safely accommodate
224 the conditional use, the cost of such improvements shall be borne by the landowner. Costs borne
225 by the landowner shall be proportional to the incremental increase in traffic associated with the
226 proposed conditional use.
- 227 **x.** The Zoning Administrator or designee may enter the premises of the operation in order to
228 inspect those premises and to ascertain compliance with these conditions or to investigate an
229 alleged violation. Zoning staff conducting inspections or investigations will comply with any
230 applicable workplace safety rules or standards for the site.
- 231 ~~**xi.** The owner must post, in a prominent public place and in a form approved by the zoning
232 administrator, a placard with the approved Conditional Use Permit number, the nature of the
233 operation, name and contact information for the operator, and contact information for the Dane
234 County Zoning Division.~~
- 235 **xii.** The owner or operator must keep a copy of the conditional use permit, including the list of
236 all conditions, on the site, available for inspection to the public during business hours.
- 237 **xiii.** Failure to comply with any imposed conditions, or to pay reasonable county costs of
238 investigation or enforcement of sustained violations, may be grounds for revocation of the
239 conditional use permit. ~~The holder of a conditional use permit shall be given 30 days from the
240 date of a written notice of violation to correct any violations prior to revocation.~~
- 241 ~~**xiv.** If any use allowed by an approved conditional use permit is not commenced within one
242 year of issuance of the permit or is abandoned for one year or more, the associated conditional
243 use permit shall be terminated. Future re-establishment of an abandoned conditional use shall
244 require approval of a new conditional use permit.~~
- 245 **b.** Other conditions. In addition to the standard conditions listed above, the town board and
246 zoning committee may, at their discretion, impose any other conditions as necessary to meet the
247 standards for approval described in s. 10.101(7)(d)1. above, including but not limited to:
- 248 **i.** Expiration dates on conditional use permits, except for permits for communication towers
249 under s. 10.103(9). Continuation or extension of an expired conditional use requires re-
250 application and approval by the town board and zoning committee.
- 251 **ii.** Limits on hours or days of operation, or number of events each year.
- 252 **iii.** Limits on numbers of employees.
- 253 **iv.** Limits on numbers of total people, vehicles or animals on the premises at any one time.
- 254 **v.** Limits on total quantity or volume of product on the premises at any one time.
- 255 **vi.** Limits on square footage of buildings or outdoor areas devoted to the proposed use.
- 256 **vii.** Requirements for screening, berms or minimum setbacks as necessary to minimize
257 disturbance to neighboring properties.
- 258 **viii.** Noise limits, set to a decibel [db(a)] level appropriate for the particular use and location, as
259 provided in s. 10.102(6).
- 260 **ix.** Controls, limits or setbacks to control odor or fumes.
- 261 **x.** Surety bonds or other financial guarantees, to dismantle equipment, buildings or structures
262 that may pose a hazard or nuisance after a conditional use permit is abandoned or revoked.
263 Unless otherwise required under applicable state statute or administrative code:
- 264 • Any bond or other financial instrument shall expressly state that it will remain in full force
265 and effect for a period of at least six months after the surety provides Dane County written
266 notification of expiration or termination of the surety's obligation under the bond.
- 267 • Applicant shall remove any equipment or structure placed or erected pursuant to the
268 conditional use permit no less than 30 days prior to the termination or expiration of the guarantee.
- 269 • Bonds or other financial instruments shall not exceed \$20,000 unless it is conclusively
270 demonstrated that a higher amount is necessary to protect the public health, safety and welfare.

271
272
273

ARTICLE 3. Section 10.101(8) is amended to read as follows:
(8) Petitions to Rezone. (Zoning Map Amendments.)

274 (a) Who ~~m~~May ~~p~~Petition to ~~r~~Rezone. As described in s. 59.69(5)(e), Wis. Stats., petitions to
 275 amend the zoning map to change the zoning district of any new or existing parcels, or to modify
 276 the boundaries of any zoning district may be submitted by any of the following:
 277 1. A property owner in the area affected by the proposed amendment;
 278 2. The town board affected by the proposed amendment;
 279 3. Any member of the zoning committee, or
 280 4. Any county board supervisor.
 281 (b) Resubmittal of Rezoning Petitions. No petition to rezone that is the same as, or similar
 282 to, a petition that has been denied under this section and affecting the same property or portion
 283 thereof shall be resubmitted for a period of one (1) year from the date of said denial or, if
 284 appealed, from the date of the court decision, except on the grounds of new evidence or proof of
 285 change of conditions found to be valid by the zoning committee. This prohibition also applies to a
 286 rezone petition that is withdrawn not less than 30 days prior to a public hearing.
 287 (bc) Petition requirements.
 288 1. Town consultation. Prior to submitting a rezone petition, applicants must consult with the
 289 affected town clerk, town plan commission or town board, as determined by the town.
 290 2. Application form. Zoning petitions must be submitted in a form approved by the zoning
 291 administrator, and must include, at a minimum, the following:
 292 a. The name, address and other contact information for the owner(s) of all properties affected
 293 by the rezone;
 294 b. The name, address and other contact information for anyone acting as the owner's agent
 295 on the application;
 296 c. A written legal description accurately describing the area to be rezoned;
 297 d. A scaled drawing of the proposed rezone area, including area in acres or square feet;
 298 e. The town(s) in which the proposed rezone is located;
 299 f. Parcel ID numbers affected by the proposed rezone;
 300 g. A written narrative describing the proposed use.
 301 3. Site plan. For rezones to the HAM-R, HAM-M, LC, ~~L~~GC, HC, RI or MI zoning districts, the
 302 applicant must provide site plans as described in s. 10.101(6);
 303 4. Land division application. If required under Chapter 75, Dane County Code, the applicant
 304 must provide draft certified survey maps, preliminary plats, land division applications and any
 305 associated fees;
 306 5. Fees. The applicant must provide payment of all applicable fees as described in Chapter
 307 12, Dane County Code.
 308 6. Other information. Any other information the zoning administrator, or designee, determines
 309 necessary to evaluate the nature, location or intensity of the proposed use or consistency with the
 310 Dane County Comprehensive Plan or the Dane County Farmland Preservation Plan.
 311 7. Incomplete applications will not be accepted.
 312 (ed) Approval/Review process.
 313 1. Zoning committee, town board and county board action.
 314 a. The zoning committee, town board and county board shall follow the process for public
 315 hearing, recommendations, amendment, approval, denial and re-referral of petitions to rezone as
 316 described in s. 59.69(5)(e), Wis. Stats.
 317 b. The zoning committee may postpone action on any rezone petition until any unresolved
 318 violations of this Chapter or Chapters 11, 12, 13, 14, 17, 74, 75 or 78 are corrected and the
 319 property brought into full compliance with applicable standards.
 320 c. The zoning committee or county board may adopt additional rules and procedures for
 321 petitions to rezone under the authority of Chapter 7, Dane County Code.
 322 2. County executive action. The county executive shall, within a reasonable time of county
 323 board action, take action on the proposed rezone petition. The county executive may sign, refuse
 324 to sign or veto the rezone petition within the timelines described in s. 59.17(6), Wis. Stats.
 325 (de) Conditions on rezone petitions.
 326 1. The zoning committee may recommend and the county board may adopt an ordinance
 327 effecting an amendment of the zoning district map containing conditions of approval that may be
 328 appropriate or necessary to ensure compliance with the requirements of the ordinance and/or
 329 consistency with applicable town and county comprehensive planning policies.

- 330 2. The zoning map amendment shall indicate that the change in the map will take effect
331 within a specified period of time from the date of county board approval, by which time all
332 required conditions must be satisfied.
- 333 3. Conditions on zoning map amendments may include, but are not limited to:
- 334 a. Limits of permitted or conditional uses to less than the full range of uses otherwise
335 allowable in the district into which the land is being placed.
- 336 b. Limitations on the size, scope, number of employees, size of buildings or quantity of
337 materials associated with a particular use.
- 338 c. Requirements that the landowner record a final Certified Survey Map, Subdivision Plat, or
339 Condominium Plat with the Register of Deeds.
- 340 d. Requirements that the landowner record, with the Register of Deeds, restrictive covenants
341 to enforce required conditions. The covenant controls shall be amendable or repealable upon
342 petition of the owner of the lands subject to the controls and approval by the county board after a
343 hearing similar to a rezoning hearing. Except as amended or repealed, the covenants shall run
344 with the land.
- 345 4. Failure to satisfy all required conditions within the specified time period shall result in the
346 zoning map amendment becoming null and void.

347

348 *[EXPLANATION: This amendment revises the review process for conditional use*
349 *permits and rezones with the following changes: change wording of approval*
350 *process to “review” process; move the CUP Town process before the ZLR*
351 *process to reflect actual process; renumber appeal language section to fall in line*
352 *with the layout of the section; add language regarding 1-year resubmittal of a*
353 *CUP proposals; add language regarding the revocation process of a conditional*
354 *use permit; remove condition of posting of CUP placard; add language regarding*
355 *1-year resubmittal of rezone proposal.]*



Dane County
Department of Planning and Development
 Zoning Division
 Room 116, City-County Building
 210 Martin Luther King Jr. Blvd.
 Madison, Wisconsin 53703
 (608) 266-4266

Application Fees	
General:	\$395
Farmland Preservation:	\$495
Commercial:	\$545
<ul style="list-style-type: none"> • PERMIT FEES DOUBLE FOR VIOLATIONS. • ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION. 	

REZONE APPLICATION

APPLICANT INFORMATION

Property Owner Name:		Agent Name:	
Address (Number & Street):		Address (Number & Street):	
Address (City, State, Zip):		Address (City, State, Zip):	
Email Address:		Email Address:	
Phone#:		Phone#:	

PROPERTY INFORMATION

Township:		Parcel Number(s):	
Section:		Property Address or Location:	

REZONE DESCRIPTION

<p>Reason for the request. In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.</p>	<p>Is this application being submitted to correct a violation? Yes <input type="checkbox"/> No <input type="checkbox"/></p>
---	---

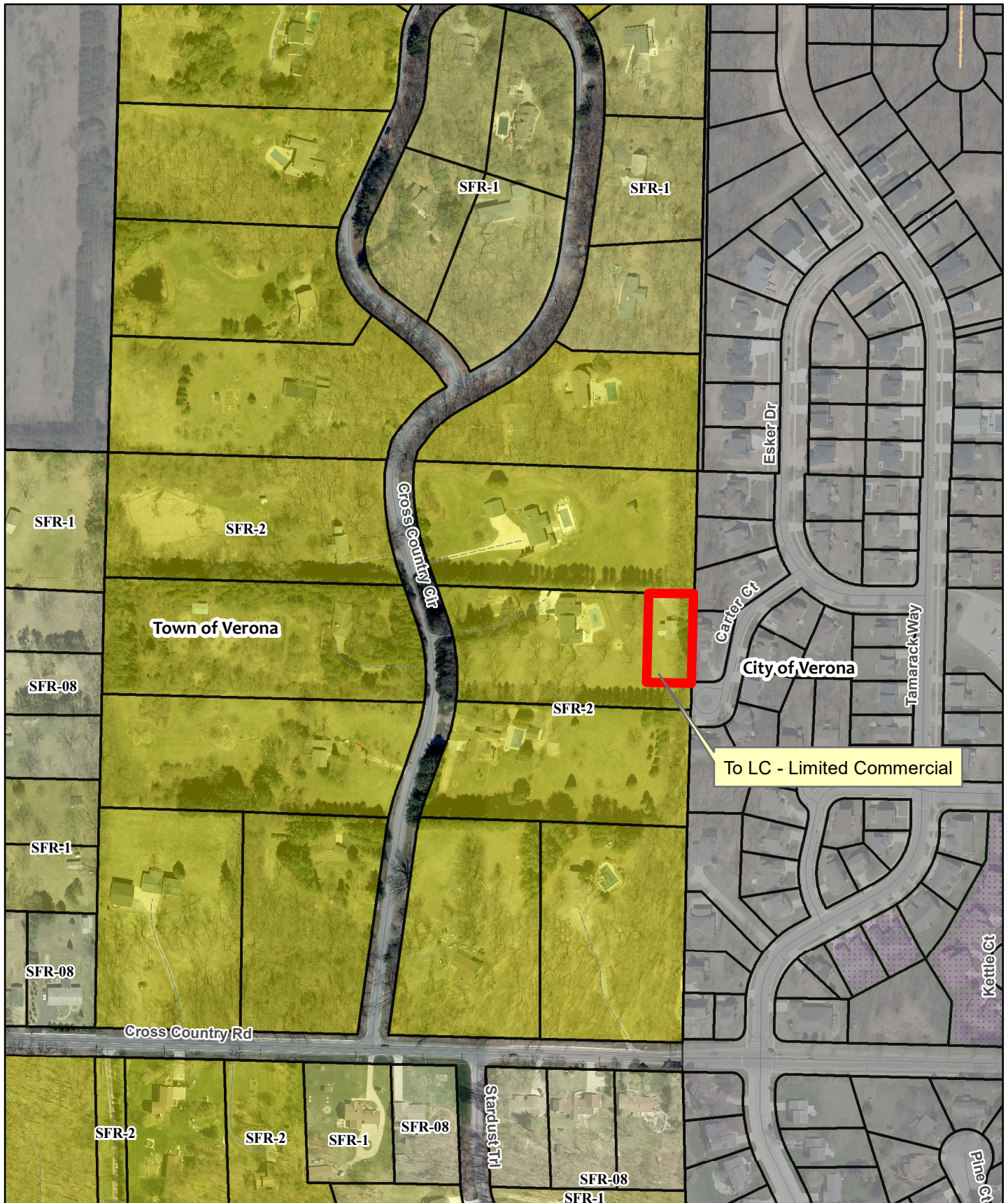
Existing Zoning District(s)	Proposed Zoning District(s)	Acres

Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for commercial development proposals, or as may be required by the Zoning Administrator.

<input type="checkbox"/> Scaled drawing of proposed property boundaries	<input type="checkbox"/> Legal description of zoning boundaries	<input type="checkbox"/> Information for commercial development (if applicable)	<input type="checkbox"/> Pre-application consultation with town and department staff	<input type="checkbox"/> Application fee (non-refundable), payable to the Dane County Treasurer
---	---	---	--	--

I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

Owner/Agent Signature _____ Date _____

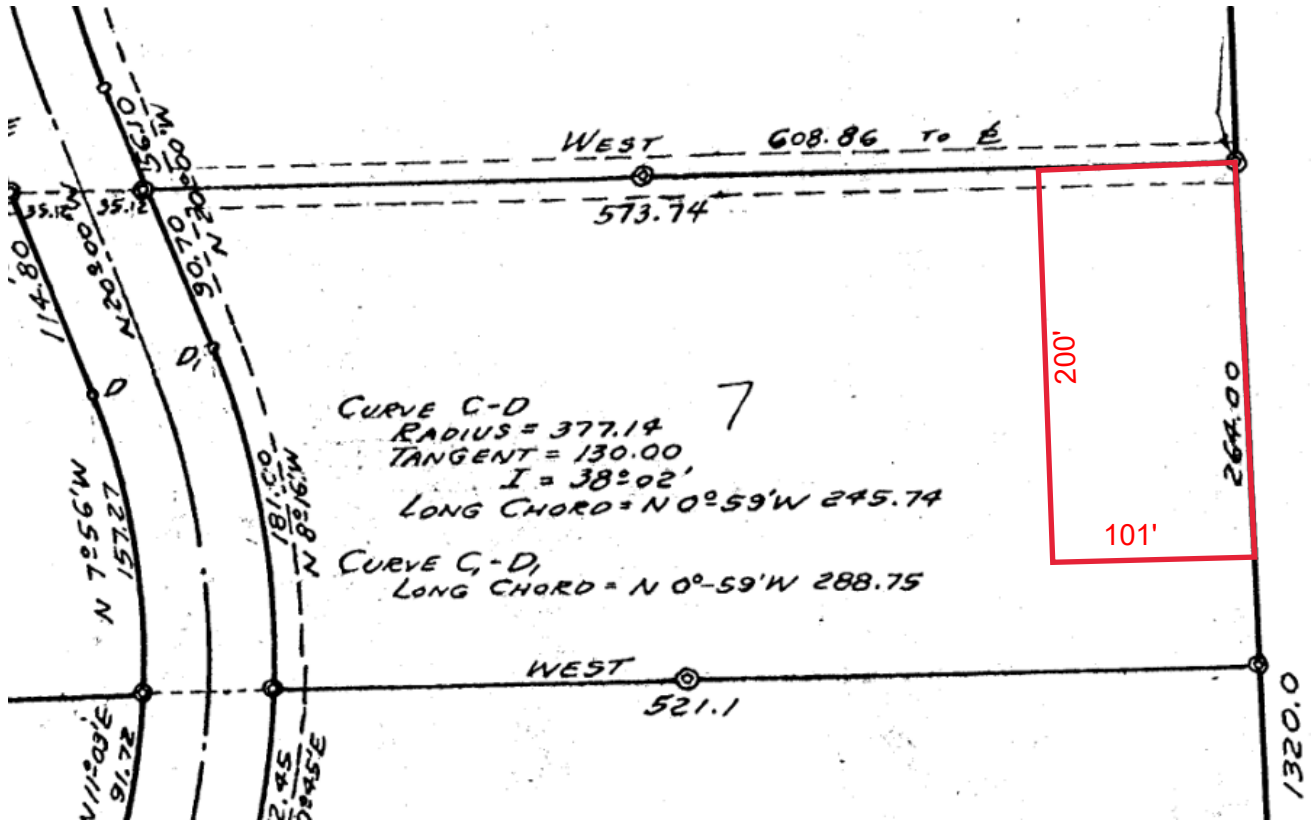


To LC - Limited Commercial



0 150 300 600 Feet

Keel Property
2744 Cross Country Cir
0608-094-9450-8



SEC 9-6-8 PRT SW1/4 SE1/4 COM SE COR 1/41/4 TH N0DEG58'W 792 FT TO POB TH N0DEG58'W 264 FT TH W 573.74 FT TH SLY 271.70 FT TH E 521.1 FT TO POB (LOT 7 UNRECORDED PLAT OF CROSS COUNTRY ESTATES)

LC zoning description (shown in red):

Part of the SW 1/4 SE 1/4 of Section 9, Town of Verona, described as follows: Commencing at the Southeast corner of the said SW 1/4 SE 1/4; thence N 00° 58' W, 1056 feet along the East line of the said SW 1/4 SE 1/4 to the point of beginning; thence West, 101 feet; thence S00° 58' E, 200 feet; thence East, 101 feet; thence N 00° 58' W, 200 feet to the point of beginning.

ZONING ORDINANCE AMENDMENT NO. 2319

Amending Section 10.03 relating to Zoning Districts in the Town of

VERONA

The Dane County Board of Supervisors does ordain as follows:

That the Zoning District Maps of the Town of Verona be amended to include in the LC-1 Limited Commercial District the following described land:

Part of the SW 1/4 SE 1/4 of Section 9, Town of Verona, described as follows:

Commencing at the Southeast corner of the said SW 1/4 SE 1/4; thence N 00° 58' W, 1056 feet along the East line of the said SW 1/4 SE 1/4 to the point of beginning; thence West 101 feet; thence S 00° 58' E, 200 feet; thence East 101 feet; thence N 00° 58' W, 200 feet to the point of beginning.

This amendment shall become effective, if within forty (40) days, following adoption by the Dane County Board of Supervisors the owner or owners of the land shall record the following restrictions running in favor of Dane County as well as the owners of the land:

The premises may be used only for the storage of two (2) trucks with snow plow equipment and one bob-cat machine with accessory equipment.

EFFECTIVE: APR 1 1980

1. WHEREAS, Glenn W. and Karen K. Fisher is/are the owner or owners of the following described land in the Town of Verona, Dane County, Wisconsin, to-wit:

Part of the SW 1/4 SE 1/4 of Section 9, Town of Verona, described as follows:

Commencing at the Southeast corner of the said SW 1/4 SE 1/4; thence N 00° 58' W, 1056 feet along the East line of the said SW 1/4 SE 1/4 to the point of beginning; thence West 101 feet; thence S 00° 58' E, 200 feet; thence East 101 feet; thence N 00° 58' W, 200 feet to the point of beginning.

2. WHEREAS, the said owner desires to place certain restrictions thereon, to bind the owner and those who may acquire title hereafter;
3. NOW, THEREFORE, in consideration of the mutual benefits passing to and from the owner and those who may hereafter purchase said land and the parties named as beneficiaries of these restrictions, the following restrictions are hereby imposed and shall constitute covenants running with the land and shall be binding upon all parties now owning any part of said land, their successors, heirs and assigns, and all parties holding under them unless, pursuant to paragraphs 5 or 6 of this instrument, said restrictions are amended or terminated.

The premises may be used only for the storage of two (2) trucks with snow plow equipment and one bob-cat machine with accessory equipment.

4. The restrictions provided for herein shall be enforceable at law or equity against any party who has or acquires an interest in the land subject to the restriction by the following parties who are named as grantees, promisees and beneficiaries with enforcement rights:

(a) The County Government of Dane County, Wisconsin, provided that the lands are under the jurisdiction of a zoning ord-

PAID 7 28 7 1912 400

inance of said County at the time the enforcement action is commenced; and

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(b) The Town Government of the Town of Verona, Dane County, Wisconsin, provided that the lands are within the governmental jurisdiction of said Town at the time the enforcement action is commenced.

5. The restrictions set forth in paragraph 3. above may be amended in the following manner:

(a) A written petition calling for the amendment of the restrictions may be made by the persons who are, at the time of the petition, owner(s) of the lands subject to the restriction. Such petition shall be submitted to the Dane County Clerk who shall refer the petition to the Dane County Agricultural Extension & Education, Zoning, Planning & Water Resources Committee (or successor committee) which committee shall schedule and hold a public hearing on the petition in the same manner as public hearings for zoning amendment petitions are noticed and scheduled. Following such hearing, the committee shall issue a written report on the petition to the County Board of Supervisors which shall, by majority vote, approve or reject the petition. If approved, the petitioner(s) shall draft the amendatory covenant instrument, have same executed by the owner(s) of the lands subject to the restrictions and record same.

(b) Such amendment shall also require approval of the Town Board of the Town of Verona the same as a rezoning petition.

6. The restrictions set forth in paragraph 3. above may be terminated in the following manner:

(a) Termination may be accomplished through County Board approval of a petition for termination of the restrictions. The procedures for introducing and processing the petition shall be as provided in paragraph 5 (a) hereof, except that the petition shall call for termination rather than amendment of the restrictions and the instrument which is recorded shall be an instrument of termination. Such termination shall also require approval of the Town Board of the Town of Verona.



TOWN OF VERONA

TO: Town Board of Supervisors

DATE: January 31, 2024

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: Fitchrona Road Design Engineering Intergovernmental Agreement

ACTION RECOMMENDED: The board approve an intergovernmental agreement with the City of Fitchburg for funding engineering design for the reconstruction of Fitchrona Road (Nesbitt Road to Tonto Trail) and authorize the Town Chair and Clerk Treasurer to execute the agreement.

In April 2022 the Wisconsin Department of Transportation approved the application submitted for the reconstruction Fitchrona Road from Nesbitt Road to Tonto Trail. The application was a joint application between the City of Fitchburg and the Town. The approved State Municipal Agreement estimated a total project of \$6,154,172 with state funding set at \$2,886,086. The Town of Verona construction share was estimated at \$364,000. The 2024 adopted town budget includes funding for the design engineering for Fitchrona Road from Tonto Trail to Nesbitt Road in preparation for the reconstruction of this section of the road in 2025.

The attached intergovernmental agreement sets forth the responsibilities for the City of Fitchburg and the Town. The total cost of the design engineering is \$478,400 with the town share not to exceed \$33,500 or approximately 7% of the total project cost. The agreement is scheduled to be approved by the Fitchburg Board of Public Works on February 5, 2024 and Fitchburg City Council on February 13, 2024. The City of Fitchburg will be the contract party for the design engineering, construction and construction engineering for the project.

The attached agreement has been reviewed and approved by the Town Attorney and it is recommended that the board approve the intergovernmental agreement with the City of Fitchburg for funding of design engineering for Fitchrona Road, (Nesbitt Road to Tonto Trail).

Please let me know if you have any questions regarding this matter.

Attachment

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF FITCHBURG AND THE TOWN OF VERONA**

THIS AGREEMENT is entered into on this ____ day of _____, 2024, by and between the City of Fitchburg, a Wisconsin Municipal Corporation, hereinafter referred to as the "City" and the Town of Verona, a body corporate and politic, hereinafter referred to as the "Town."

WITNESSETH:

WHEREAS, Section 66.0301 of the Wisconsin Statutes, authorizes cities, villages, towns, counties, and other public agencies to enter into agreements for the receipt and furnishing of services; and,

WHEREAS, the Town and the City determined the need to redesign Fitchrona Road between Tonto Trail and Nesbitt Rd (hereinafter referred to as the 'Design'); and

WHEREAS, the City has selected a "Consultant" to complete the Design;

NOW, THEREFORE, the parties hereby agree as follows:

- 1) The City shall enter into a contract with the Consultant for the preparation of the Design. As used in this Agreement, the term "Design" shall include all of the services listed in the Request for Proposal, see Exhibit A. The City has designated a project manager to oversee the Design preparation and shall be the designated contact with the consultant.
- 1) City shall pay the entire cost charged by the Consultant for the engineering services for the project.
- 2) The total cost to City for the engineering services provided by the Consultant shall not exceed \$444,900 unless this agreement is modified by addendum.
- 3) The total cost to the Town for the engineering services provided by the Consultant shall not exceed \$33,500 unless this agreement is modified by addendum.
- 4) The City shall bill the Town for the Town's seven percent (7%) of the total cost of the work as the work progresses for work completed. The Town shall reimburse the City for its share of the engineering service fees for the Design within forty-five (45) days of receiving a billing from the City. Past due balances shall be subject to a service charge at the rate of 1% (one percent) per month.
- 5) Liability. Each party shall be responsible for the consequences of its own acts or omissions and those of its employees, boards, commission, agencies, officers, and representatives and be responsible for losses, claims and liabilities which are attributed to such acts or omissions.
- 6) Non-Discrimination. In the performance of services under the Agreement, each party agrees to abide by its own equal employment and Affirmative Action requirements.
- 7) This Agreement is intended to benefit the parties hereto and their respective officials and shall not be construed to create any right or benefit on behalf of any person, firm,

corporation, or other entity not a party hereto.

- 8) The City and the Town acknowledge that depending upon the results of the Design, the City and the Town may enter into a future agreement for the construction of a project. Concurrently, the City and the Town may enter into an agreement for cost sharing for their respective portions of the project.

IN WITNESS WHEREOF the City of Fitchburg and the Town of Verona have executed this agreement effective as of the date when all parties hereto have affixed their respective signatures.

TOWN OF VERONA

BY: _____
Mark Geller Date
Town Chairman

BY: _____
Teresa Withee Date
Town Clerk

CITY OF FITCHBURG

BY: _____
Julia Arata-Fratta Date
Mayor

Tracy Oldenburg Date
City Clerk

TOWN OF VERONA

TO: Town Board of Supervisors

DATE: February 2, 2024

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: Hidden River (South) Proposed Right of Way Discontinuance

In concurrence with Public Works Committee, town staff has been pursuing the road vacation of appropriate town highways. Recent activities on Hidden River (South) make it an excellent candidate for vacation of the right of way and discontinuation of the town highway. For historical perspective, in 1990 the State of Wisconsin Highway Department (WISDOT) requested all towns review and submit candidates for single purpose roads. Single Purpose Road are defined by WISDOT as:

- 1-A stub-end road that serves only one property.
- 2-The extremity of a stub end road that lies entirely within the boundaries of the last parcel served.
- 3-A stub end road that serves parcels of land that also abut on and have legal access to another public road.

In 1990, 16 town roads were considered by WISDOT as single purpose roads. Over the years the town has discontinued a number of single purpose roads i.e., Oak Grove Road, Hefty Road, Littleton Road and a portion of Wesner Road.

Hidden River (South) is a gravel road which serves two properties. Both properties have legal access to other public roads. There are no residences located on the road and the typical use is agricultural by the two abutting property owners. In August of 2023, the town completed the re-graveling and restoration of the road to a like-new condition. A review of town and county records provide no indication that the road was ever formally accepted by the town.

On September 19, 2023, the Public Works Committee reviewed the proposed vacation and passed a motion to recommend the discontinuance of Hidden River (South) and request the Town Board to initiate the discontinuance process. On December 5, 2023 the Board introduced resolution 2024-01 and set a public hearing for February 6, 2024. On December 19th, 2023 the *Lis Pendens* for this discontinuance. was recorded for this action. On January 4, 2024 the two adjacent property owners were notified of the proposed discontinuance. Contact was made with both of the owners to answer questions regarding the process. Public notices for the public hearing for the vacation

were published on January 18, 25, and February 1, 2024. The attached documents have been reviewed and approved by the town attorney. If you have any questions, please let me know.

LIS PENDENS

Document Number

Document Title

In re a resolution to vacate and discontinue that segment of Hidden River Road lying south of Riverside Road in the Town of Verona, Dane County, Wisconsin

NOTICE IS HEREBY GIVEN in accordance with §840.11 of Wisconsin Statutes, by the Town of Verona, Wisconsin, that on the 5th day of December 2023 a resolution was introduced before the Town Board pursuant to §66.1003 (4) of the Wisconsin Statutes to vacate and discontinue that segment of Hidden River Road lying south of Riverside Road in the Town of Verona, as more fully described in Exhibit A attached hereto and incorporated herein.

Dated this 19th day of December, 2023.

Town of Verona
7669 County Highway PD
Verona, WI 53593

Name and Return Address

No Parcel Number
Parcel Identification Number

TOWN OF VERONA

By: *Teresa Withee*

Teresa Withee
Clerk, Town of Verona

7669 County Highway PD
Verona, WI 53593
(608) 845-7187

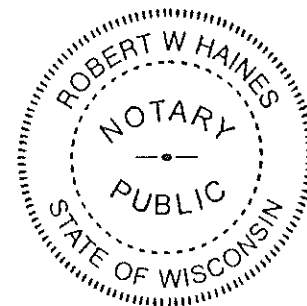
(
STATE OF WISCONSIN)
COUNTY OF DANE)

Personally came before me this 19th day of December, 2023, the above-named Teresa Withee
Personally known to me to be the person who executed the foregoing instrument and acknowledged the same.

Robert Haines (signed)

Robert Haines (printed)

NOTARY PUBLIC
Dane County, Wisconsin
My Commission 12/06/2025



This document was drafted by:
Verona Town Clerk Teresa Withee

Exhibit A

Hidden River Road to be Vacated

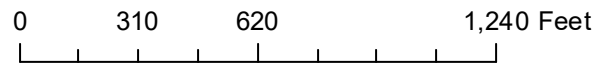
Being a 66' wide roadway with 33' on either side of the centerline located in part of the Northeast $\frac{1}{4}$ of Section 32, Township 6 North, Range 8 East in the Town of Verona, the centerline being more particularly described as follows:

Commencing at the Northeast corner of said Section 32; thence westerly 1336 feet more or less along the North line of the Northeast $\frac{1}{4}$ of said 32 to the intersection of the northerly extension of the centerline of Hidden River Road to the south; thence southerly 33 feet along the northerly extension of the centerline of said Hidden River Road to a point on the southerly right-of-way of Riverside Road and being the Point of Beginning; thence continuing southerly 817 feet more or less along the centerline of said Hidden River Road to the termination of the said road.

Hidden River Road



September 5, 2023



Tie Sheet Corners

Parcels

QQ Sections

Sections

Within Plat

Plat Boundaries



RESOLUTION 2024-01

A RESOLUTION TO VACATE A SEGMENT OF HIDDEN RIVER ROAD IN THE TOWN OF VERONA

WHEREAS, the Town of Verona has the power to discontinue the whole or part of any public way within the Town limits pursuant to Wis. Stats. §66.1003 when the public interest requires it; and

WHEREAS, the portion of the public way, Hidden River Road south of Riverside Road as shown on Exhibit A attached hereto serves only two undeveloped properties; and

WHEREAS, vacation of the portion of the public way shown on Exhibit A will not result in a landlocked parcel or property; and

WHEREAS, the Town Board has held a public hearing to consider public comments on the proposed vacation of the road segment legally described below and depicted in Exhibit A, and hereby determines that it is in the public interest to vacate and discontinue that segment of Hidden River Road;

NOW, THEREFORE, BE IT RESOLVED, by the Town of Verona Board of Supervisors that the portion of the following described public right-of-way is hereby vacated and discontinued:

A 66' wide roadway with 33' on either side of the centerline located in part of the Northeast ¼ of Section 32, Township 6 North, Range 8 East in the Town of Verona, the centerline being more particularly described as follows:

Commencing at the Northeast corner of said Section 32; thence westerly 1336 feet more or less along the North line of the Northeast ¼ of said 32 to the intersection of the northerly extension of the centerline of Hidden River Road to the south; thence southerly 33 feet along the northerly extension of the centerline of said Hidden River Road to a point on the southerly right-of-way of Riverside Road and being the Point of Beginning; thence continuing southerly 817 feet more or less along the centerline of said Hidden River Road to the termination of the said road.

BE IT FURTHER RESOLVED, that all easements and rights incidental to the easements that belong to any county, school district, town, village, city, utility, or person that relate to any underground or over ground structures improvements, or services and all rights of entrance, maintenance, construction, and repair of the structures, improvements, or services shall continue. The Town of Verona does not consent to the discontinuance of any such easements and rights.

Adopted by the Verona Town Board this 6th day of February, 2024.

Mark Geller, Chairperson

Attest:

Teresa Withee, Clerk

TOWN OF VERONA

TO: Town Board of Supervisors

DATE: February 2, 2024

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: Public Works Committee Equipment Purchase Discussion

At the January 2024 Public Works Committee meeting, the committee further discussed options and necessity for expanding the use of a tractor/Boom mower equipment to improve the right of way vegetation management throughout the town. As detailed in the memo dated December 29, 2023, one of the fundamental responsibilities of the town is the care of town right of ways via mowing, clearing and trimming. Roadside brush and trees, while very desirable for some residents, creates dangerous sight distance restrictions, height limitations, and premature pavement failure. Most brush cutting in the town occurs by hand. Generally, a 3-person crew will use chainsaws to cut overgrown brush and perform tree trimming on an as-needed basis. This method yields excellent results, but is very time consuming. Typical hand cutting production rates vary between ½ to 1 mile per day. Additionally, part-time labor willing to safely perform hand cutting has been impossible to find. As the current town labor force ages, this will become a much larger concern.

Based on the 43 miles of town roads, the Public Works Committee has explored the option of a boom mower unit for small brush clearing and cutting. The committee discussed the most effective mowing approach would entail approximately 260 hours per year for a boom mower use. This type of annual use would allow the town to manage right of way vegetation in a much more complete and systematic manner. The current town budget includes a boom mower is \$4,800 per year for a 40-hour rental.

Discussion with the Public Works Committee has focused on the cost to purchase either a used or new tractor and boom mower attachment. Because of the complexity of the mower attachments, hydraulics, and the counterweight necessary to balance the extended arm, the mower attachment requires a dedicated tractor. Based on the number of hours per use, the breakeven payback period of various tractor/mower combinations versus equipment rental range from 6 to 9 years depending on purchase price. At the January committee meeting committee, after considering numerous tractor/mower combinations, the committee voted to recommend the town board

consider the purchase of a tractor boom mower combination unit (with a used tractor) for a not -to-exceed cost of \$160,000. Since these type of mower units are “off the shelf” typical purchases, the best approach is to authorize town staff in coordination with the public works committee and town chair to find the best value combination unit. The funding of the unit would be paid from the town Equipment fund. Currently the Equipment Fund has an unencumbered balance of \$61,127. The sale of the 2015 Ford patrol truck, will likely yield an additional \$40,000 which will be deposited with the equipment fund. The remainder of the funds (approximately \$59,000) could be underwritten by the town reserve account.

Estimated paving cost \$23,000



Flint Lane Facing South



Flint Lane Facing South



South end of Flint Lane facing North



Flint Lane section Paved in 2020 facing North

TOWN OF VERONA

TO: Town Board of Supervisors

FROM: Sarah Gaskell, Planner/Administrator

SUBJECT: Administrator Report for February 2023

Upcoming Meetings

- NRAC – February 13th, 6:30pm Town Hall
- Public Works – February 20th, 7:00am Town Hall
- Finance – TBD
- Plan Commission – February 15th, 6:30pm

General

Work Plan

- Comprehensive Plan Amendments; update to Future Land Use Map
- Open Space and Parks Plan 2024 – 2029
- Knowledge Capture/calendar
- 2023 Budget Amendments if needed
- Annual meeting
- Audit
- Vault reorganization
- Communications Plan
- Succession Plan
- Emergency Plan

Town Board 2023 Goals Progress

- Succession Planning and Yearly Calendar creation – in progress; deadline February 2024 for completion
- Comprehensive Plan Amendments – working with Vierbicher to update draft map
- NRAC plan update - in progress
- Dark Sky Ordinance – proposed ordinance changes to board in March
- Communication expansion – in progress
- Landscape Plan for Town Hall Property – budget item; create plan and contact firms for bids

TOWN OF VERONA

TO: Town Board of Supervisors
Public Works Committee

DATE: January 31,2024

FROM: W. Christopher Barnes, Public Works Director

SUBJECT: January 2024 Report

The monthly Public Works Department Activity report is submitted for the information and review of the Board and the Committee. January was an active month with the large snowfall and bitter cold temperatures in the second week of the month. Several mailboxes were repaired and numerous were spent replacing plow blades, and equipment maintenance to keep the fleet ready to serve. Numerous citizen and resident concerns and action requests were received and addressed on a daily basis. If you should have any questions, please let me know.

Road Maintenance Activities

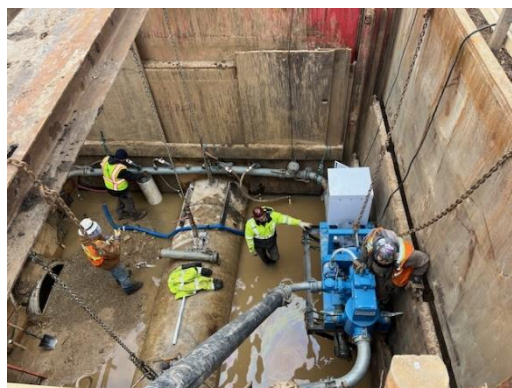
- Picked up 2 fly dumping areas
- Responded to 6 major and 3 minor snowplowing events as well as daily road inspecting of drifting and icing.
- Received 100 tons of salt to be mixed with chips.

Equipment and Facility Activities

- Set up for various community room rental events
- Continued research into various boom mower equipment and pricing
- Repairs Salt building overhead door and

Sanitary Sewer Utility Activities

- Participated in biweekly construction conference for Badger Mill Pump Station 17 Force Main.relief project with the Madison Metro Sewerage District (MMSD).
- Construction is underway with force main installation near Grandview Road and gravity sewer near Goose Lake.



Engineering Activities

- The fourth meeting for the Badger Mill Creek Stakeholder Meeting Group was held on January 17, 2024. The group consists of approximately 16 communities/agencies/citizen groups and will meet once a month to share goals for Badger Mill Creek and recommend projects for the health and resilience of Badger Mill Creek. Recent actions by the MMSD have made available funding in the Badger Mill watershed of approximately \$1,000,000 which could be a possible source of project funding for recommended projects near the at Goose Lake area. The monthly meeting was focused on presentation by the Town of Verona and City of Fitchburg giving an overview of the Goose Lake/ Fitchrona Road drainage project and how it relates to Badger Mill Creek. Completed the attribute and needs assessment worksheet for the creek. The group will now be looking at potential projects for the \$1,000,000 funding.
- Prepared the 2024 road projects for bid opening February 16th.
- Scheduled a Shagbark Court residents meeting for February 20, 2024 to discuss and review the existing road and the impacts the new road may have on their property.
- Met with several Fitchrona Road property owners to discuss the impacts of the proposed road construction.

cc: Sarah Gaskell, Town Planner/Administrator
Mark Judd, Road Patrolman

TOWN OF VERONA

TO: Town Board of Supervisors

FROM: Teresa Withee, Clerk/Treasurer

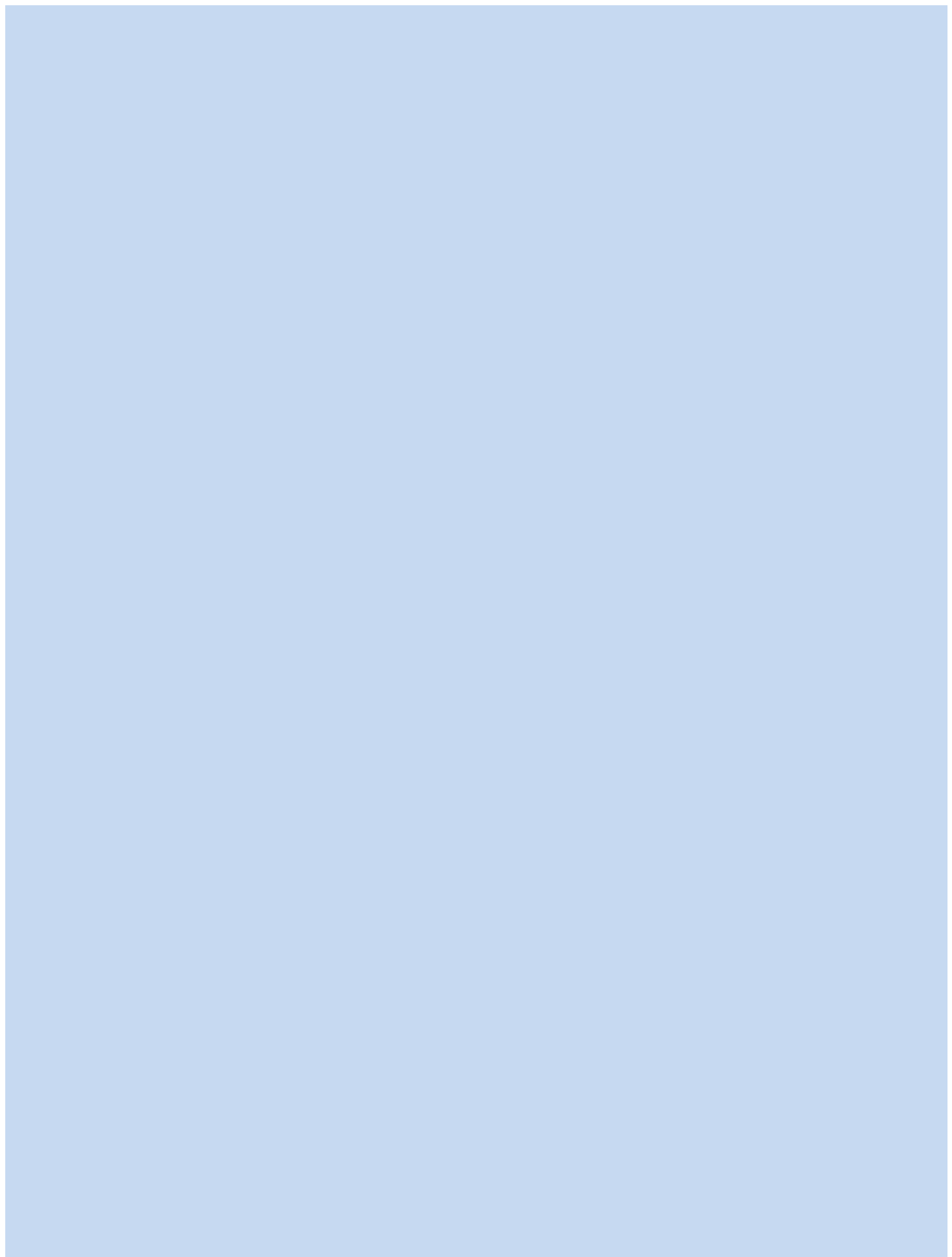
SUBJECT: January 2024 Clerk/Treasurer Report

Clerk

- Attended January town board meeting and recorded minutes
- Received, recorded and verified all election paperwork for two town board candidates for the spring election
- Updated election page on website
- Submitted DHS Tobacco License Report

Treasurer

- Reviewed invoices and prepared checks.
- January settlements were made to Dane County, Verona Area School and MATC for a total of \$2,740,921
- Collected \$2,546,994 from December 31, 2023 through January 31, 2024 in property tax payments, the second settlement is due February 20th
- Submitted Mill Rate Entry Form to DNR
- Received payment from DNR for PILT and distributed to MATC, Verona Schools and Dane County.
- Completed the Quarterly Survey of Property Tax Collections and submitted to the US Census Bureau
- Track and record payments for the municipal court, update the court clerk on any payments received.





EMPLOYMENT HANDBOOK
Adopted by the Town of Verona Board of Supervisors
June 4, 2019
Amended August 6, 2019

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Exempt employees under the Fair Labor Standards Act are not eligible for overtime. In recognition for time worked necessitated by circumstances above and beyond expectation of the job or for time worked which is unusually more than normal, exempt employees may request time off from the Administrator, or if the Administrator, the Town Chair. This time off is not intended to be accumulated, paid out or used to supplement vacation or sick leave.

207 Holidays

All regular full-time and part-time Town employees shall receive their regular straight time rate of pay for designated holidays as set forth in Appendix A.

When a holiday falls on Saturday or a Sunday, the holiday shall be observed as determined by the Administrator.

When a holiday is observed on a day which an employee is not scheduled to work, the employee shall be paid one (1) day at the employee's basic wage rate for the holiday. Employees required to work on a holiday, shall be compensated at the rate of twice their hourly rate of pay for hours worked in lieu of any other holiday pay.

Employees on a leave of absence (whether paid or unpaid) or on layoff are not eligible for holiday pay. Absence attributable to paid vacations, paid jury duty or funeral leave shall not affect an employee's eligibility for holiday pay.

208 Vacation

Regular full-time and part-time Town employees will receive vacation with pay at their regular, straight-time rate earned on their anniversary date as set forth Appendix A. **[On January 1 of each year, employees will be credited with the amount of vacation that the employees will earn that year and may schedule and take that vacation during the year. If an employee separates from employment and has taken vacation prior to the employee's anniversary date, the employee must repay the amount of vacation taken but not earned, either through a deduction from the employee's last paycheck or by a payment arrangement agreed to by the Town.]**

All vacation must be taken within the calendar year for which it is earned, except that with the approval of the Administrator, an employee may carry over forty (40) hours into the succeeding year to be used on or before June 1 of the following year. Otherwise, vacation days not taken in a calendar year or used through carryover by June 1 will be forfeited.

When a holiday is scheduled within a period of designated vacation, the holiday will not be counted as a day of vacation.

Request for vacation leave must be submitted to the supervisor in writing at least two weeks in advance. Requests for vacation leave must be approved by the supervisor.

The number of employees on vacation at any given time shall be determined by the supervisor. Each supervisor shall schedule and approve vacation usage, giving due consideration to length of Town service, Town needs, and the staff required to perform ongoing Town activities.

When an employee separates from Town employment, the employer shall pay the employee for unused vacation time at the employee's regular straight-time rate of pay at termination

Employees shall not accrue vacation while on an unpaid leave of absence or during Worker's Compensation leave.

209 Sick Leave

Full-time and part-time employees shall be entitled to sick leave with pay.

1. Full-time and part-time employees may accrue unused sick leave as set forth in Appendix A.

2. Sick leave may be used for:
 - a. An employee's sickness or injury;
 - b. An employee's medical or dental appointment;
 - c. The sickness or injury of an employee's parent, spouse or child or step-child; or,
 - d. A medical or dental appointment of an employee's parent, spouse or child or step-child.
3. In order to be granted sick leave with pay, the employee must:
 - a. Report the absence from work promptly to the employee's supervisor. A supervisor should report to the Administrator.
 - b. Keep the Town informed of the employee's condition; and
 - c. Permit the Town to make such medical inquiry or visits as may be determined necessary. The Town may request written documentation from an employee's health care provider verifying the use of sick leave.
4. Sick leave shall be accumulated and can be used beginning with the first month of employment.
5. When an insufficient sick leave balance remains to cover an employee's absence, the uncovered days may be charged to accumulated vacation. Sick leave cannot be advanced.
6. While an employee is on paid sick leave, the accrual of sick leave and vacation leave benefits shall continue during the period covered by the sick leave. Employees shall not accrue sick leave while on an unpaid leave of absence or during Worker's Compensation leave.
7. When an employee retires from Town employment pursuant to Wisconsin Retirement System standards, that employee may convert any accumulated sick leave time, up to the maximum allowed by this manual, to an insurance reserve fund held and managed by the Town. The last hourly rate, or in the case of salaried employees the equivalent hourly rate, will be used to determine the dollar amount in the employee's insurance reserve. For example, if the employee had 1,040 hours in the sick leave bank and was earning \$17.00 per hour at retirement, the insurance reserve fund for that employee would be $(1,040 \times \$17) = \$17,680$.

The insurance reserve will be held by the Town and used to pay group health insurance premiums for the retired employee until the fund is exhausted. Any premium amount in excess of the amount drawn from the fund shall be paid by the employee to the Town Administrator or Treasurer at least five (5) days before the due date of the Town's group premium payment to the insurer. In the event the retired employee dies before the fund is exhausted, the employee's surviving spouse will be entitled to receive continued insurance coverage through the Town until the fund is exhausted on the same terms and conditions.

The employee's insurance reserve fund may be used only for insurance premium payments for the employee or the surviving spouse. In the event the retired employee or the spouse dies, or the employee or spouse becomes ineligible for continued coverage under the terms of the group policy in effect at any time before the fund is exhausted, the surplus dollars are returned to the Town general funds.

210 Funeral Leave

Regular full-time Town employees may be allowed a leave of absence with pay up to three (3) days to attend the funeral, of an employee's spouse, child, step-child, parent or legal guardian, sister or brother. The three days will be granted for regular work days missed for the day before, the day of, and the day after the funeral. Funeral leave will not be granted for days when an employee is on vacation or on a paid holiday. Employees may use vacation or sick time for additional funeral leave if additional time off from scheduled work is needed because of travel.

APPENDIX A

Benefits

Full-time employees shall be eligible for all applicable benefits described below.

Employee participation in any Town benefit plan is subject to the terms and conditions of each plan.

Vacation

All permanent full-time employees shall earn vacation from the date of employment as follows, unless otherwise noted through a separate contractual agreement:

1st through 4th years	10 working days (80 hours)
5th through 10th years	15 working days (120 hours)
11th through 15th years	20 working days (160 hours)
16th through 20th years	25 working days (200 hours)

Part-time employees who work a minimum of 1,040 hours in the office per year shall earn vacation sick leave on a pro rata basis. Part-time employees who work less than 1,040 hours per year do not earn vacation sick leave.

Holidays

Each full-time employee shall be granted the following paid holidays:

1. January 1st
2. Martin Luther King Day
3. Memorial Day
4. July 4th
5. Labor Day
6. Thanksgiving Day
7. The day after Thanksgiving
8. December 24th
9. December 25th

In addition one (1) personal day is granted to each employee to use for holiday of their choosing beyond those listed above.

Part-time employees who work a minimum of 1,040 hours in the office per year shall be granted holiday pay at an amount equal to their average workday hours.

To be eligible for holiday pay, the employee must work his/her regular schedule of hours on the day immediately before and the day immediately after the holiday, unless authorized for sick leave, vacation, or with the supervisor's approval.

Sick Leave

Sick leave is earned at the rate of 1.5 hours per 40 hours worked, including paid holidays and vacation.

The employee's sick leave bank (the accumulated sick leave that has not been used) may not exceed 1,040 hours at any time.

Part-time employees who work a minimum of 1,040 hours in the office per year shall earn sick leave on a pro rata basis. Part-time employees who work less than 1,040 hours per year do not earn sick leave.



**CHAPTER 1
GENERAL GOVERNMENT**

- 1.01 General Town Powers**
- 1.02 Elected Officials**
- 1.03 Appointed Officials**
- 1.04 Contracts for Professional Services**
- 1.05 Boards and Commissions**
- 1.06 General Regulations Governing All Town Officers**
- 1.07 Elections**
- 1.08 Town Board Meetings**
- 1.09 Public Records**
- 1.10 Code of Ethics**

1.01 GENERAL TOWN POWERS.

(1) LEGAL STATUS. The Town of Verona is a body corporate and politic, with those powers granted by the Wisconsin Statutes.

(2) VILLAGE POWERS. The Town Meeting having adopted a resolution authorizing the Town Board to exercise all powers granted to villages and conferred on village boards, the Town Board may exercise all powers granted by Chapter 61, *Wis. Stats.*, and such other powers conferred on villages by law. The Town Board Chairperson shall have those powers enumerated for village presidents.

1.02 ELECTED OFFICIALS.

(1) TOWN BOARD MEMBERSHIP. The Town Board shall comprise five supervisors, including one supervisor designated as the Town Board Chairperson. Three Town Board Supervisors shall constitute a quorum.

(2) TOWN BOARD CHAIRPERSON. The Town Board Chairperson shall be elected at the regular spring election in odd-numbered years for a term of 2 years commencing on the 3rd Tuesday of April in the year of his or her election. The Town Board Chairperson shall have all the powers and duties granted by §60.24, *Wis. Stats.*, and such other powers conferred on a Town Board Chairperson by law.

(3) SUPERVISORS. There shall be 4 Town Supervisors elected to specific seats on the Board. Two Supervisors shall be elected at each annual spring election for 2 year terms, commencing on the third Tuesday of April in the year of their election, with the supervisors holding seats 1 and 2 elected in odd-numbered years and seats 3 and 4 in even numbered years.

1.03 APPOINTED OFFICIALS.

(1) TOWN ADMINISTRATOR. (a) Appointment. The Town Administrator shall be appointed, as provided in §60.37(3), *Wis. Stats.*, by a majority vote of the members of the Town Board. The Administrator shall hold his or her office for an indefinite term and shall serve at the pleasure of the Town Board.

(c) Place of Meetings. All meetings of the Board, including special and adjourned meetings, shall be held in the Verona Town Hall unless specified by the Board at a previous regular meeting or by written notice posted at the regular meeting place at least 24 hours (two hours in an emergency) prior to any meeting. All board meetings shall be held within the boundaries of the Town.

(d) Quorum. Three Supervisors shall constitute a quorum, but a lesser number may adjourn from time to time if a majority is not present, or compel the attendance of absent members. A call of the house may be ordered by a majority vote if 3 Supervisors are present.

(2) ORDER OF BUSINESS. The business of the Town Board shall be conducted in the following order:

- (a) Call to order by presiding officer
- (b) Pledge of Allegiance
- (c) Roll call. If a quorum is not present, the meeting shall be adjourned, which may be to any specific date notwithstanding sub. (1)
- (d) Announcements
- (e) Hear citizens wishing to address the Town Board
- (f) Unfinished business from previous meeting
- (g) New business, including introduction of resolutions and ordinances.
- (h) Reports from Town Officers and Department Heads
- (i) Payment of claims
- (j) Correction and approval of minutes of previous meeting
- (k) Communications
- (l) Any other matters that may lawfully be brought before the board
- (m) Adjournment

(3) MEETING AGENDA. (a) Preparation of Agenda. The Town Board Chairperson shall be responsible for determining those items which shall be placed on the agenda for each regular or special Town Board meeting. The Town Board Chairperson shall include on the agenda for any special meeting any item contained in a request for the special meeting signed by two Supervisors pursuant to sub. (1)(b). Any two Supervisors may request in writing that the Town Chairperson include any item appropriate for Town Board action on the agenda for a regular meeting. The Town Board Chairperson shall include any such item on the agenda for the next regular meeting, provided, however, that if the request is received less than three business days prior to a meeting, the Chairperson may delay the item until the next subsequent regular meeting.

(4) PRESIDING OFFICER. (a) Control of Meeting. The Town Board Chairperson shall preserve order and conduct the proceedings of the meeting. A member may appeal from the decision of the presiding officer. Such appeal is not debatable and must be sustained by a majority of the members present, exclusive of the presiding officer.

(b) Absence of Town Chairperson. If the Town Board Chairperson is absent at any meeting, the Town Administrator shall call the meeting to order and preside until the Town Board selects a Supervisor to preside for that meeting. In the case of a planned absence of the Town Board Chairperson, the Town Board may select in advance a Supervisor to preside for the future meeting(s) at which the Town Board Chairperson intended to be absent.

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(d) Quorum. Three Supervisors shall constitute a quorum, but a lesser number may adjourn from time to time if a majority is not present, or compel the attendance of absent members. A call of the house may be ordered by a majority vote if 3 Supervisors are present.

(2) ORDER OF BUSINESS. The business of the Town Board shall generally be conducted in the following order:

- (a) Call to order by presiding officer
- (b) Pledge of Allegiance
- (c) Public Comment
- (d) Correction and approval of minutes of previous meetings
- (e) Committee Reports
- (f) Town Chair Business
- (g) Supervisor Announcements
- (h) Reports from Department Heads
- (i) Unfinished Business
- (j) New business, including introduction of resolutions and ordinances.
- (k) Check Register Review
- (l) Any other matters that may lawfully be brought before the board
- (m) Adjournment

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<#>Announcements¶
Hear citizens wishing to address the Town Board

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REUTER, WHITISH & EVANS, S.C.

**ATTORNEYS AT LAW
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TELEPHONE
(608) 250-9053

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(608) 250-9054

January 18, 2024

Town of Middleton Board of Supervisors
7555 West Old Sauk Road
Verona, WI 53593

Town of Verona Board of Supervisors
7669 County Highway PD
Verona, WI 53593

Re: Intergovernmental Road Maintenance Agreement

Dear Town Boards:

My office has represented the Town of Verona as its general counsel since 2000. We have also represented, and continue to represent, the Town of Middleton since 2018 with regard to various development and other matters on which the Town Attorney has conflicts. We also serve as the municipal prosecutor for both the Towns of Middleton and Verona.

I have been asked to represent the Town of Verona in connection with the review of a proposed intergovernmental agreement for sharing of road maintenance responsibilities. I have not been asked to represent the Town of Middleton in that matter, and I understand that the Middleton Town Attorney will be representing its interests in relation to the contract.

Since both Towns are current clients of my firm, however, the Rules of Professional Conduct for attorneys in Wisconsin prohibit me from representing either Town in negotiations or contracting with one another unless certain conditions are met. Relevant to the current situation, the rules allow me to represent a party if I determine that I can provide competent and diligent representation to both clients and each client gives informed consent in writing authorizing the representation.

Because my ongoing representation of the Town of Middleton is unrelated to the issues involved in the proposed contract matter, and because the Town will be represented by its regular Town Attorney in the contract negotiations, I have determined that my representation of the Town of Verona would not affect my ability to diligently represent both clients in the matters on which I am representing them. Therefore, if both Towns consent, I am able to represent the Town of Verona in connection with the road maintenance contract.

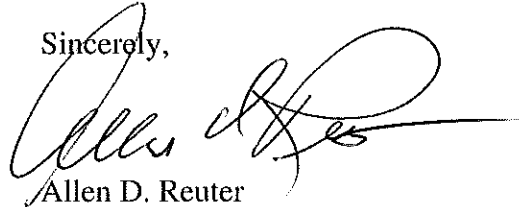
In determining whether to consent to my representation of the Town of Verona, you should know that I will not be taking any action to protect the interests of Middleton in that particular matter. I will not be in a position to give legal or other advice to Middleton with respect to contract

terms or other aspects of the proposed agreement. Middleton will have to rely solely on its Town Attorney for that representation and advice. My obligations in connection with the road maintenance contract matter will be solely to the Town of Verona. My obligations to the Town of Middleton in other matters, however, will not change.

My communications with the Town of Verona will be confidential under the attorney-client privilege. I will not be at liberty to disclose those communications to others, including the Town of Middleton, even if the disclosure of that information might be beneficial to Middleton. While I will continue to provide advice to Middleton on those matters for which I have been retained, I will not do so in the context of the pending contract matter.

If you approve of my representation of the Town of Verona in this matter in light of the above explanation, please sign below and return a signed copy to me. If not, or if you have any questions regarding the above disclosures, please advise me accordingly. Thank you.

Sincerely,



Allen D. Reuter

We have read and understand the above letter and approve of Reuter, Whitish & Evans, S.C. representing the Town of Verona in negotiating and preparing a contract between it and the Town of Middleton regarding the sharing of road maintenance obligations.

TOWN OF MIDDLETON

TOWN OF VERONA

By: _____
Cynthia Richson, Chairperson

By: _____
Mark Geller, Chairperson

Attest _____
Barbara Roesslein, Clerk

Attest: _____
Teresa Withee, Clerk